

# Meloni & McCaffrey, P.C. | Attorneys at Law

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### ***Robert S. Meloni***

Mr. Meloni has practiced law internationally in the entertainment industries for over 26 years. Mr. Meloni's practice has focused on entertainment, new media and intellectual property matters, with a concentration in intellectual property counseling and litigation and entertainment industry business disputes. He is admitted to the New York State Bar, First Department (1981), the United States District Courts, Southern, Eastern and Northern Districts of New York and the Eastern and Western Districts of Arkansas, as well as the United States Court of Appeals (2nd, 6th and 8th Circuits), and the U. S. Supreme Court. Mr. Meloni is a 1976 graduate of the University at Albany (magna cum laude) and a 1980 graduate of New York Law School.

A representative sample of clients handled by Mr. Meloni include the following: Chuck Berry, Aretha Franklin, Estate of Fats Waller, Estate of Serge Rachmaninoff, Kool and the Gang, United Artists Music, Estate of John Lennon, Yoko Ono, The Hit Factory, Chappell Music, Miles Davis, Important/Relativity Records, Pat Metheny, Great Southern, Brockum, Aerosmith and Leber-Krebs Communications, Moses Znaimer, Leonard Cohen and New Edition. Since forming Robert S. Meloni, P.C. and later Meloni & McCaffrey, P.C., Mr. Meloni has handled matters for such clients as LL Cool J, Eminem, Lil Jon, Victory Records, Memory Lane Music Group/Larry Spier Music, Chuck Berry, Cee Lo, Erick Morillo, Dru Hill, Kanye West, John Sayles, Neptunes, Clipse, Violator Records, Quincy Jones/QD3 Entertainment, Talib Kweli, 112, Q Tip, Violent Femmes, Frankie J, Herby Azor, Staind, DJ Red Alert, Cinderella, MCY Music, Felix the Cat Productions, Inc., Roadrunner Records, The All Blacks B.V. and Clement Dodd/Studio One.

Mr. Meloni is the author of a number of published scholarly articles on issues of copyright, internet, and music industry related topics including the following:

- Contributor, Matthew Bender's *Entertainment Industry Contracts*, [Music on the Internet](#), Vols. 8 and 9 (2001).
- *Ethical Considerations for Entertainment Industry Professionals*, Columbia-V.L.A. Journal of Law & the Arts, Vol. 15, No. 3 (Spring 1991)(with co-author with M. William Krasilovsky).

**EXHIBIT**

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- *New Contract Issues in Music Video Deals*, Entertainment Law & Finance, Vol. 1, No. IV (Jan. 1986).
- *Copyright Law as a Protection Against Improvidence: Renewals, Reversions and Terminations*, Communications and the Law, Vol. 5, No. 4 (Fall 1983)(with co-author with M. William Krasilovsky).
- *The Works Made For Hire Doctrine Under the 1976 Copyright Act*, 1980 Winner (NYLS) ASCAP Nathan Burkan Memorial Competition.
- Contributed chapter to the 6th Edition of the music business guide *This Business of Music*, by Shemel and Krasilovsky, as well as editorial contributions for other editions.

Reported cases include: *Bucciarelli-Tieger v. Victory Records*, 488 F.Supp. 702 (N.D. Ill 2007)(obtained dismissal of claim for terminaiton of record contract); *Carroll v. Kahn*, 2003 WL 22327299, 68 U.S.P.Q.2d 1357 (N.D.N.Y. 2003)(obtained dismissal of copyright claims regarding documentary film); *EMI Latin v. Bautista*, 2003 WL 470333 (S.D.N.Y. Feb 24, 2003)(obtained preliminary injunction preventing record company from interfering with artist's ability to sign new recording contract); *Lattice v. James Todd Smith p/k/a LL Cool J*, 758 N.Y.S.2d 135 (2d Dep't 2003)(obtained dismissal of claims under management contract); *TufAmerica, Inc. v. Roy Hammond, et al*, 2002 U.S. Dist. LEXIS 9258 (S.D.N.Y. 2002)(copyright infringement); *Schoenberg v. Shapolsky Publishers, Inc.*, 916 F. Supp. 333 (S.D.N.Y.1992)(obtained dismissal of copyright claim); *Schoenberg v. Shapolsky Publishers, Inc.*, 971 F.2d 926 (2d Cir. 1992) (co-counsel)(favorable ruling regarding copyright subject matter jurisdiction); *Giaimo & Vreeburg v. James Todd Smith p/k/a LL Cool J*, 192 A.D.2d 41, 599 N.Y.S.2d 841 (2d Dep't 1992) (co-counsel)(obtained dismissal of attorney's claim under 42 U.S.C.S. § 1981); *Swan v. EMI Music Publishing, Inc.*,2000 WL 1528261 (S.D.N.Y. 2000)(favorable ruling regarding copyright statute of limitations defense on behalf of heir of songwriter of Never On Sunday); *Hall v. Inner City Records*, 212 U.S.P.Q. (BNA) 272 (S.D.N.Y. 1980) (obtained dismissal of copyright claim based on lack of subject matter jurisdicition).

An accomplished public speaker, Mr. Meloni has also been a frequent lecturer on copyright, new media and music industry related topics (The New School, St. Johns University Law School, New York Law School, American Conference Institute-Digital Distribution of Music). He is a Member of the Copyright Society of the USA and a former Adjunct Professor at New York University, Department of Music and Performing Arts Professions.

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## ***Thomas P. McCaffrey***

Tom McCaffrey is a seasoned litigator with over 22 years experience. His practice is also concentrated in entertainment related litigation and intellectual property matters. A graduate of Herbert H. Lehman College of the City University of New York (B.A., magna cum laude,

1981) and Fordham University School of Law (J.D., 1984), he is admitted to the New York State bar, First Department (1981), and the U.S. District Court for the Southern and Eastern Districts of New York. Formerly with: Cahill Gordon & Reindel, 1984-1987; Gold, Farrell & Marks, 1987-2000; and Jonathan D. Davis, P.C. 2000-2007.

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